

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

SONY MUSIC ENTERTAINMENT, *et al.*,

Plaintiffs,

v.

COX COMMUNICATIONS, INC., *et al.*,

Defendants.

Case No. 1:18-cv-00950-LO-JFA

PLAINTIFFS' MOTION FOR SEALING

Pursuant to Rule 26 of the Federal Rules of Civil Procedure, and Local Civil Rule 5(C), Plaintiffs move the Court to enter an order allowing Plaintiffs to file under temporary seal portions of their Consolidated Reply Memorandum In Support Of Plaintiffs' Motion To Strike Portions Of The Declaration Of Thomas Kearney And Plaintiffs' Motion To Strike The Declaration Of Thomas Patrick Lane And Portions Of The Declaration Of Thomas Kearney (ECF No. 506), which cite to, discuss, or disclose information that Cox has designated as "Highly Confidential – Attorneys' Eyes Only" or "Confidential" under the Stipulated Protective Order (ECF No. 58).

Plaintiffs take no position as to whether this information should be sealed. Rather, Plaintiffs request sealing to comply with the Court's Protective Order in this action and to allow Cox, as the designating party, to respond and explain why such sealing is necessary. Local Civil Rule 5(C) provides that "[w]hen a party moves to file material under seal because another party has designated that material as confidential, the party designating the material as confidential must file a response to the motion," which includes:

- a. "A statement why sealing is necessary, and why another procedure will not suffice,

as well as appropriate evidentiary support for the sealing request.” L. Civ. R. 5(C)(2).

- b. “References to the governing case law, an analysis of the appropriate standard to be applied for that specific filing, and a description of how that standard has been satisfied.” *Id.* 5(C)(3).
- c. “Unless permanent sealing is sought, a statement as to the period of time the party seeks to have the matter maintained under seal and how the matter is to be handled upon unsealing.” *Id.* 5(C)(4).
- d. A proposed order.

Respectfully submitted,

Dated October 21, 2019

/s/ Scott. A Zebrak
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